

REMARKS/ARGUMENTS

This Amendment is being filed in response to the Office Action dated April 1, 2009. Reconsideration and allowance of the application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 1-10, 13-15, 17-22 are pending in the Application. Claims 1 and 17 are independent claims. Claims 11-12 and 16 are canceled herein, without prejudice. The Applicants respectfully reserve the right to reintroduce subject matter deleted herein, either at a later time during the prosecution of this application or any continuing applications.

By means of the present amendment, the claims are amended including for better conformance to U.S. practice, such as amending dependent claims to begin with "The" as opposed to "A". By these amendments, the claims are not amended to address issues of patentability and Applicants respectfully reserve all rights under the Doctrine of Equivalents. Applicants furthermore reserve the right to reintroduce subject matter deleted herein at a later time during the prosecution of this application or continuing applications.

Applicants thank the Examiner for acknowledging the claim for priority and receipt of certified copies of all the priority document(s).

In response to an objection to the abstract of the disclosure, by means of the present amendment, the Abstract has been deleted and substituted with the enclosed New Abstract which better conforms to U.S. practice.

In the Office Action, claim 16 is objected to for a mis-numbering in the claims. In response, claim 16 is canceled and new claim 22 comprising the subject matter of claim 16 is added.

Claim 21 is rejected under 35 U.S.C. §101 as allegedly being directed to a non-statutory subject matter. In response, claim 21 is amended to be directed to a computer readable medium. Withdrawal of the rejection is respectfully requested.

In the Office Action, claims 1-2, 6-7, 11-13, 15, 17, and 20 are rejected under 35 U.S.C. §102(e) over U.S. Patent Publication No. 2002/0175805 to Armstrong ("Armstrong"). Claims 3-5 are rejected under 35 U.S.C. §103(a) over Armstrong in view of Examiner's Official Notice. Claims 9-10 and 18-19 are rejected under 35 U.S.C. §103(a) over Armstrong in view of U.S. Patent Publication No. 2002/0137523 to Diggelen ("Diggelen"). Claims 14

and 16 are rejected under 35 U.S.C. §103(a) over Armstrong in view of U.S. Patent No. 5,300,875 to Tuttle ("Tuttle"). These rejections are respectfully traversed. It is respectfully submitted that claims 1-10, 13-15, 17-22 are allowable over Armstrong in view of Examiner's Official Notice and in view of Diggelen and Tuttle for at least the following reasons.

Armstrong describes communication between a host computer, one or more interrogators connected to the host computer, and a large body of transponders distributed within an area covered by the interrogators. Paragraph [0044] of Armstrong, referenced in the Office Action as showing the recitations of claims 1 and 17, merely describes an arrangement of a plurality of interrogators generating RF signals used to communicate with a plurality of transponders identified by their ("Tag_ID"). Each interrogator having a predetermined spatial area in which communications with transponders occur.

It is respectfully submitted that claim 1 is not anticipated or made obvious by the teachings of Armstrong. For example, Armstrong does not disclose or suggest, a system for locating a wireless tag within a layer, that amongst other patentable elements, comprises (illustrative emphasis added) "a plurality of

layer units, said layer comprising a plurality of independent wireless nodes," as recited in claim 1, and as similarly recited in claim 17. As indicated above, Armstrong's interrogators are not independent, but connected to the host computer.

Moreover, in counter distinction to the teaching of Armstrong, it is the independent wireless nodes of claims 1 and 17 that "provide overlapping wireless feedback to said tag."

The Examiner's Official Notice, Diggelen and, Tuttle are introduced for allegedly showing elements of the dependent claims and as such, do nothing to cure the deficiencies in Armstrong.

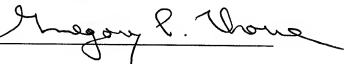
Based on the foregoing, the Applicant respectfully submits that independent claims 1 and 17 are not anticipated by Armstrong and notice to this effect is earnestly solicited. Claims 2-10, 13-15, 18-19, and 21-22 respectively depend from one of claims 1 and 17 and accordingly are allowable for at least this reason as well as for the separately patentable elements contained in each of the claims. Accordingly, separate consideration of each of the dependent claims is respectfully requested.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of

argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

Applicants have made a diligent and sincere effort to place this application in condition for immediate allowance and notice to this effect is earnestly solicited.

Respectfully submitted,

By 

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